

# LINKS



**LSPG Information—Networking Key to Success  
for the  
LEGAL STAFF PROFESSIONALS OF GREENVILLE  
(LSPG)**

## **PRESIDENT'S LETTER:**

December 2011

In thinking about how we are going to wrap up 2011, we have the opportunity to give thanks for all we have accomplished over the past year and to consider new possibilities for 2012. The upcoming year will bring new goals, new dreams, and new ideas to fuel our thoughts. I think we are all inclined to want to better ourselves and better our community. We want to live life to the fullest -- to "live large". In order to get there, we must adopt strategies to experience success in accomplishing our goals and living our dreams. I challenge us to set personal goals and to grow, individually and collectively, to heights others have only dreamed of. In true humility, and as one who certainly has not yet arrived, I offer these tips as my gift to you and to our organization:

- **MAKE IT YOUR GOAL** – Whether your goal is personal advancement in your workplace, an exercise/weight loss program, spending more quality time with friends/family, getting more involved in an organization like Legal Staff Professionals of Greenville (LSPG), or giving more of your resources – time, talents, finances – to a non-profit organization, your goal must create a passion in you when you think about future accomplishments. Believe in yourself and dare to dream.
- **BE RIGHT-SIDED AND BELIEVE YOU CAN** – Beginning today, strengthen and, if necessary, change your belief system. Don't allow the self-talk messages you engage in be anything but positive. Listen to the right side of your brain, the positive commentary, and believe you can accomplish your goals. Negative thoughts do nothing but breed negative actions and undermine your self-worth. Surround yourself with people who will positively reinforce your ability to accomplish your goals.
- **WRITE IT DOWN** – I am a very visual person. When I see something in writing, whether it is a

goal or an inspirational quote, it motivates me to try harder, to dig deeper, and it cements my resolve. When writing your goals, make them SMART – Specific, Measurable, Attainable, Relevant and Timely.

- **CELEBRATE!** – As you take steps toward your goal, take time to "smell the flowers" and reward yourself for accomplishments along the way. Every step toward your goal is cause for celebration. Like on Biggest Loser, two pounds are still two pounds, even when contestants are trying to lose 100 pounds. They are still baby steps toward the goal. Embrace those baby steps and be proud of each accomplishment.
- **KEEP MOVING** – Move on to the next milestone, even if you have had a setback or have "run out of gas," keep moving toward the goal line. No one can eat the elephant in one bite, but every little bite you take makes the elephant less intimidating. Every little step you take makes the ultimate goal more attainable.
- **EMBRACE THE MOMENT!** – There is nothing like crossing the finish line of accomplishing a goal. Allow yourself to bask in the moment and savor that feeling of victory.

Keep the enthusiasm and motivation going. Don't allow your dreams to fade into the sunset. You are spectacular -- don't ever let anyone tell you anything different! You and your gifts to LSPG will allow us to continue to grow, to be better, and to better serve one another and our community. **MERRY CHRISTMAS AND HAPPY NEW YEAR! BE BLESSED.**



*Mary Beth Morgan, 2011-2012 LSPG President*

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## Upcoming General Meeting Schedule

### Wednesday, December 7, 2011

Poinsett Club, 12:30 – 1:30 p.m.

Speaker: CHARITY – Shepherd's Gate  
Cost is \$15 inclusive

### Wednesday, January 18, 2012

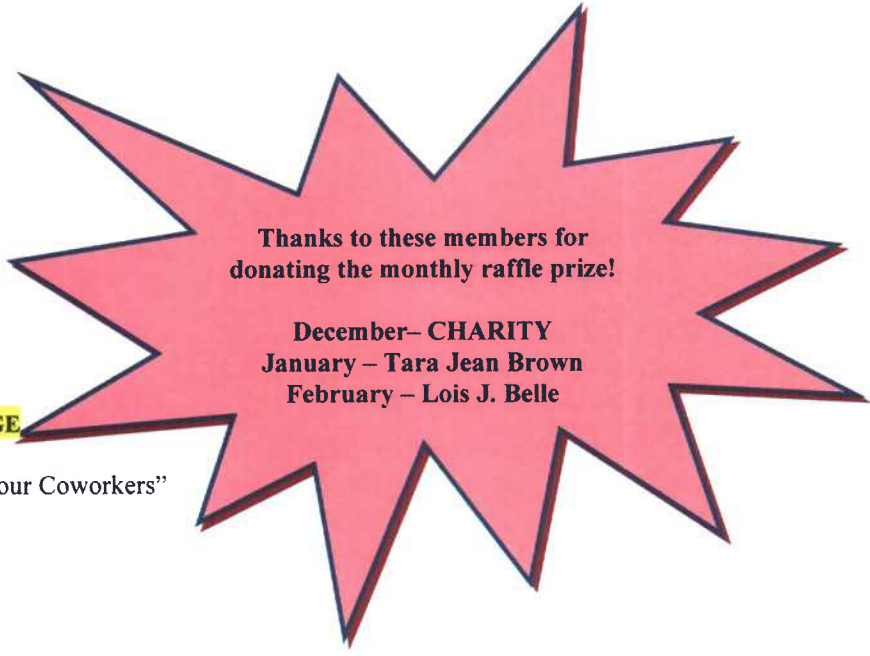
Poinsett Club, 12:30 – 1:30 p.m.

Speaker: Daryle Bost  
Topic: "Team Building"  
Cost is \$15 inclusive

### Thursday, February 16, 2012

Poinsett Club, 5:30 p.m. **NOTE TIME CHANGE**

Speaker: Beth Beutler  
Topic: "How to Get Along Better with Your Coworkers"  
Cost is \$15 inclusive



Thanks to these members for  
donating the monthly raffle prize!

December– CHARITY  
January – Tara Jean Brown  
February – Lois J. Belle

Myra Culbertson is our reservations contact. She will be emailing the menu choices the week before each meeting, and reservations are due no later than 10 a.m. on the Monday of our meeting week. PLEASE NOTE: Cancellations received after this time will be billed to you (as the restaurant still charges LSPG).

**Deadline for March 2012 issue of LINKS is March 2, 2012.  
Please submit your information to Lois Belle.**



## How to Get Along Better with Your Coworkers

February 16, 2012—5:30 p.m.  
Poinsett Club, Greenville, SC

This workshop will discuss the four basic types of personalities, based on the DISC Model. It will help you build greater understanding and appreciation of different personality styles. You'll learn strategies for relating with others, building relationships and working more effectively as a team.

Hosted by Legal Staff Professionals of Greenville  
and presented by *Beth Beutler*

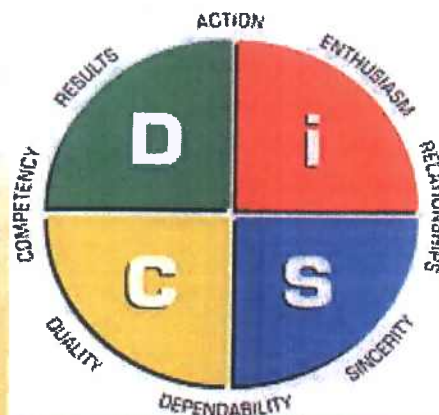


This program is made possible through a grant from the NALS Foundation.

[www.nals.org/foundation](http://www.nals.org/foundation)

For reservations (\$15.00 incl. dinner):  
864.239.5959

**Real. Inspiring. Fun. Refreshing.** That's the kind of teaching and resources *Beth Beutler* provides, specifically to hard-working professionals. Beth Beutler owns HOPE Unlimited and is the author of four blogs, including [www.teambuildingstrategy.com](http://www.teambuildingstrategy.com). In addition to her writing and speaking opportunities, Beth has several years experience managing teams and projects, and also works as a client communications and marketing specialist. Beth is known for her ability to communicate reliably and interact well with a wide variety of personality types. She enjoys teaching others how to understand and celebrate the differences in people so they can work together more effectively...and have fun in the process!



Visit us online at [www.lspg.org](http://www.lspg.org)

## LEGAL ED

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### ***Risky Business: Navigating the Minefield of SC's Unfair Trade Practices Act***

Like all states, South Carolina has a consumer protection law that prohibits unfair competition and deceptive trade practices. The operative language of the South Carolina Unfair Trade Practices Act ("UTPA") is simple:

***Unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce are hereby declared unlawful. S.C. Code Ann. Section 39-5-20.***



But don't let its simplicity fool you. This statute can pack quite a punch, which is why these claims are often asserted in business and commercial disputes. First, lawyers have the incentive of adding this cause of action to their business and commercial litigation disputes because a successful showing of a violation under UTPA calls for the mandatory award of attorneys' fees as well as costs for time and efforts spent pursuing this cause of action. Second, if a plaintiff is able to show that the defendant willfully or knowingly violated the UTPA, the court "shall award" the plaintiff three times the actual damages sustained. S.C. Code Ann. Section 39-5-140(a).

With these potential damages at stake, it is important to have an understanding of what constitutes a violation of UTPA under South Carolina law. To recover in an action, the plaintiff must show: (1) the defendant engaged in an unfair or deceptive act in the conduct of trade or commerce; (2) the unfair or deceptive act affected the public interest; and (3) the plaintiff suffered monetary or property loss as a result of the defendant's unfair or deceptive act(s).

An "unfair" trade practice has been defined as a practice which is offensive to public policy or is immoral, unethical or oppressive. The terms "trade" and "commerce" include the "advertising, offering for sale, sale or distribution of any services and any property, tangible or intangible, real, personal or mixed, and any other article, commodity or thing of value wherever situated, and include any trade or commerce directly or indirectly affecting the people" of South Carolina. S.C. Code Ann. Section 39-5-10(b). For example, South Carolina courts have held that a product manufacturer's trademark infringement constituted an unfair or deceptive act of trade where the maker copied the trademarked packaging of one of its competitors, thereby confusing or deceiving consumers. Likewise, a car dealer's deceptive car sales practices, such as misrepresenting that a previously wrecked car was "like new," has been deemed violations of the UTPA.

An impact on the public interest may be shown if the acts or practices have the potential for repetition. This is established by showing (1) the same kind of actions occurred in the past, thus making it likely they will continue to occur absent deterrence; or (2) the company's procedures created a potential for repetition of the unfair and deceptive acts. *Singleton v. Stokes Motors, Inc.*, 595 S.E.2d 461, 466 (S.C. 2004). Our courts have held, for example, that the padding of bills for automobile repairs is an unfair

trade practice under the UTPA that affects the public interest because of its potential for repetition to multiple customers.

To recover, the plaintiff also must show that he suffered monetary or property loss as a result of the deceptive act. The UTPA calls for the award of actual damages, which include special or consequential damages that are a natural and proximate result of deceptive conduct. Additionally, attorneys' fees and costs will be awarded to a prevailing plaintiff and, if it is shown that the defendant engaged in a willful or knowing violation of the Act, then the plaintiff will be awarded trebled damages.



Just as it is important to understand what sort of claims UTPA *does* encompass, so, too, is it important to understand when the Act does *not* apply. First, a cause of action for violation of the UTPA cannot be alleged in a class-action suit. South Carolina law provides that a person who has suffered a loss as a result of an unfair act or practice can bring an action individually, but not in a representative capacity. Second, the statute is not applicable to conduct that is authorized by a state or federal statute or by a regulatory agency. S.C. Code Ann. Section 39-5-40(a). This "regulated industry" exception has been applied by South Carolina courts in a number of situations, including at-will employment contracts, sales of securities, matters under the ICC, insurance coverage exclusions, contracts under the consolidated procurement code, matters governed by DHEC, and puffing.



*Merry Christmas and Happy New Year!*

**Wishing you and your family a blessed holiday season!**

## 2011 Probate Seminar Report



“Thank You” LSPG membership and Board members for your supportive efforts regarding the Probate Seminar. As an association and as members, we are honored and appreciative of our continued opportunity to partner with Judge Faulkner/the Probate Staff and Legal Eagle in presenting this year’s 2011 Probate Seminar on October 21.

This year’s seminar provided CLE credit for 28 attorneys and was also attended by 35 paralegals and/or legal staff support members from various law offices in our area. Again this year, it was our pleasure to partner with and sponsor student registrations – we had 17 Greenville Tech legal students and 28 Brown Mackie students attend the seminar.

Thank you again for your enthusiastic support in making the 2011 Probate Seminar a success!!! ~ Jimi Bullard, Chairperson

## Your Assistance is Appreciated !

### For our February Meeting

**MEMBERS:** We are asking each member to contribute a door prize (of any value) for our February event. They will be used as door prizes to be given away at the February evening meeting. Please bring them to our January membership meeting – or get them to Mary Beth Morgan before January 20<sup>th</sup>.



# COMMUNITY PROJECTS

## SHEPHERD'S GATE WISH LIST

***\*SINCE WE ARE A MINISTRY FUNDED BY DONATIONS, MONETARY GIFTS ARE ALWAYS WELCOMED.  
BELOW ARE OTHER NEEDED ITEMS:***

### **General Items:**

Socks and undergarments-all sizes  
Office Supplies  
Christian books  
Regular and large print NAS Bibles  
Devotional Books  
Calendars  
Ziplock bags-gallon-sized  
Light bulbs-40 and 60 watts

Towels/washcloths  
Twin-sized sheets/pillowcases/pillows  
Alarm clocks  
Gift Certificates (Wal-Mart, K-mart, grocery stores)  
Stationary and stamps  
Long distance phone cards  
Women's clothing, sleepwear, shoes-all sizes  
Garbage bags-any size

### **We are always in need of:**

- \*Paper products (toilet paper, paper towels, napkins, lg. and small paper plates, bowls, cups)
- \*Cleaning supplies (bleach, pine cleaner, glass cleaner, floor cleaner, dish soap, hand soap, laundry soap)
- \*Toiletries (razors, shampoo, deodorant, soap, lotion, sample-sized deodorant and toothpaste)

### **Renewal Program:**

Pocket Dictionaries for study times.  
Christian biographical videos and books  
Journals and white, 3 ring binders  
Bible Dictionaries and hand books  
Advil, Tylenol, cold medication w/o alcohol  
Tickets for Christian concerts/theater

Phone Cards  
Wal-Mart or Christian Book Store Gift Certificates  
Gift Certificates for Putt-Putt, Bowling, etc.  
G or PG videos  
Board games and puzzles

### **DayCare:**

Bicycle Rack  
Outdoor sports equipment  
Crib sheets  
Children's Bibles  
Gift Certificates for field trips to McDonald's, etc.  
Large, sturdy trucks and cars for floor play

8-10 medium-sized children's chairs  
Educational toys/books  
Large-sized diapers  
Light, cotton thermal blankets  
Polaroid film  
Small riding toys or bikes with training wheels

### **Kitchen:**

Granulated and brown sugars  
Jellies/jams  
Coffee creamer  
Pancake syrup  
Tuna  
Cheese Whiz  
Boxed Macaroni and Cheese

Brooms/String Mops  
Dishwashing liquid  
Potato peelers  
Dishcloths, dish towels  
Aprons  
Potholders

### **Capital Items:**

- Electronic surveillance equipment.
- Newer computers/printers
- Fencing with a gate for outdoor play equipment storage.
- Outdoor patio furniture.
- Piano
- Commercial washers/dryers/vacuum cleaners

# Happy Birthday

# NALS Anniversary

## DECEMBER

9 – Cathy Boggs  
11 – Miriam Williamson  
25 – Mary Beth Morgan

## JANUARY

26 – Vickie Halstead

## FEBRUARY

3 – Lois J. Belle

## JANUARY

Lynn Pry – 1 year  
Kathy Suggs – 2 years

## FEBRUARY

Tara Jean Brown – 8 years  
Camilla Pitman – 11 years  
Frances Powell – 11 years

# New Members

PLEASE JOIN US IN WELCOMING OUR NEW MEMBERS

## Martha Crampton

A native of Virginia, Martha Crampton lived in Georgia for a long time and moved to South Carolina in 2003. She has a number of years of experience as a legal secretary, cutting her teeth in the field in Atlanta law firms. She was a member of LSPG beginning in 2005, being introduced to the organization by fellow secretary Margaret Campbell, and served part of 2007 as LSPG's Secretary. She had to relocate mid-term to Florida because of her husband's job. Fortunately, upon her move back to South Carolina this year, she was again offered a position at Gallivan, White & Boyd and is pleased to be a returning member of LSPG.

Dee Dee Callison *(more info to come on Dee Dee next issue)*



**LEGAL STAFF PROFESSIONALS OF GREENVILLE  
2011-2012 OFFICERS AND COMMITTEES**

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MEMBERSHIP**

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**NALS is dedicated to enhancing the competencies and contributions of members in the legal services profession.**



## **NALS CODE OF ETHICS**

Members of NALS are bound by the objectives of this association and the standards of conduct required of the legal profession. Every member shall:

- Encourage respect for the law and the administration of justice;
- Observe rules governing privileged communications and confidential information;
- Promote and exemplify high standards of loyalty, cooperation, and courtesy;
- Perform all duties of the profession with integrity and competence; and
- Pursue a high order of professional attainment.

## **Calendar at a Glance**

<b>DECEMBER</b>	7	General Membership Meeting, Poinsett Club, 12:30-1:30 p.m
<b>JANUARY</b>	1	ALS, PLS, PP Application Deadline for March 3 Exam
	4	Board Meeting, City Hall, 1 <sup>st</sup> Floor, 12:30-1:30 p.m.
	18	General Membership Meeting, Poinsett Club, 12:30-1:30 p.m.
	28	LSPSC Winter Membership Meeting, 9 a.m. to 3 p.m., Nelson Mullins, Columbia
<b>FEBRUARY</b>	1	Board Meeting, City Hall, 1 <sup>st</sup> Floor, 12:30-1:30 p.m.
	16	LSPG Networking Event/Dinner, Beth Beutler, Poinsett Club

### **A LOOK AHEAD . . .**

<b>MARCH</b>	3	ALS, PLS, PP Exam
<b>APRIL</b>	27-29	LSPSC Annual Meeting, Clark's Restaurant & Inn, Santee, SC
<b>JULY</b>	13-15	Region 4 Annual Meeting & CLE, Chattanooga, TN (Details TBA)

**Please visit our website at [www.lspg.org](http://www.lspg.org).**